

## Message Text

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PAGE 01 MANILA 04259 070457Z

12

ACTION H-03

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TO SECSTATE WASHDC 1958

C O N F I D E N T I A L MANILA 4259

E.O. 11652: GDS

TAGS: CROP (FRASER, DONALD M)

SUBJECT: CODEL FRASER VISITS LOPEZ/OSMENA

1. CODEL FRASER, ACCOMPANIED BY SALZBERG, RICHARDSON AND EMB-OFF, CALLED ON EUGENIO LOPEZ, JR. AND SERGIO OSMENA III AT VETERANS HOSPITAL MORNING APRIL 5. OSMENA DID MOST OF TALKING. HE EMPHASIZED LONG PERIOD WHICH HAD ELAPSED BETWEEN HIS APPREHENSION AND FORMAL PRESENTATION OF CHARGES. HE CLAIMED MARCOS USING HIM AS HOSTAGE TO FORCE HIS FATHER SUPPORT NEW SOCIETY. HE TOLD CODEL THAT MARCOS THROUGH HIS SISTER (MINNIE OSMENA) AND OTHER INTERMEDIARIES HAS OFFERED HIM AMNESTY OR PARDON SEVERAL TIMES IF HE SIGNS PAPERS ADMITTING GUILT. OSMENA SAID HE HAS TURNED DOWN THESE OFFERS SINCE HE "DOESN'T TRUST MARCOS". OSMENA SAID HE HAS NOT BEEN PERSONALLY MALTREATED BUT SOME OF "HIS BOYS" (HE SPECIFIED HIS FATHER'S PILOT AND BODYGUARD) HAD IN ORDER GET THEM TESTIFY AGAINST HIM. OSMENA STRONGLY CRITICAL OF GOVERNMENT'S REFUSAL TO ALLOW HIM LAWYER. (HE HAD FIRST SUBSTANTIVE SESSION WITH ATTORNEY APRIL 4). HE SAID IF GOVERNMENT THINKS HE IS GUILTY, THEY SHOULD TRY HIM.

2. LOPEZ, JR. INDICATED LACK OF ACCESS TO LAWYER FOR FIRST PART OF CONFINEMENT NOT BOTHERSOME SINCE HE BELIEVED FAMILY NEGOTIATING HIS RELEASE. CODEL QUESTIONED LOPEZ, JR. ON SALE OF MERALCO. LOPEZ, JR. INDICATED SALE HAS BEEN FORCED AND REAL PRICE WAS SUPPOSED TO HAVE BEEN HIS RELEASE. IN RESPONSE TO CODEL QUERY, HE DENIED MERALCO "DEBT RIDDEN SHELL". LOPEZ, JR. MAINTAINED THAT DESPITE MERALCO FOUNDATION FRONT MARCOS AND HIS FAMILY EFFECTIVELY CONTROL COMPANY. LOPEZ, JR. CONFIDENTIAL

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PAGE 02 MANILA 04259 070457Z

SAID HE TOO WAS NOT PREPARED TO ADMIT GUILT. IF HE WAS GUILTY,

HE SHOULD BE TRIED.

3. CODEL WAS USHERED TO LOPEZ/OSMENA HOSPITAL SUITE BY HOSPITAL DIRECTOR. (RETIRED BRIGADIER GENERAL) ALMOST IMMEDIATELY UPON ARRIVAL. ABOUT 10 MINUTES AFTER DISCUSSION BEGAN, SECURITY GUARD APPEARED AND TOOK PICTURES OF EACH VISITOR. SECURITY OFFICER ALSO STATIONED IN ROOM. LOPEZ, JR. CALLED HOSPITAL DIRECTOR TO REQUEST REMOVAL OF SECURITY MAN. NCO IN CHARGE SECURITY DETAIL FLATLY REFUSED SAYING HE HAD ORDERS THAT MAN SHOULD BE THERE. PRESENCE OF SECURITY MAN, HOWEVER, DID NOT APPEAR TO INHIBIT CONVERSATIONS OF EITHER LOPEZ OR OSMENA WHO PRESUMABLY BELIEVE ROOM WAS BUGGED ANYWAY.

4. COMMENT: CODEL COMMENTED HE HAS NO INTEREST IN SUBSTANCE OF CASES (HE HAD BEEN BRIEFED ON MONTAGUE/CAPULET RELATIONSHIP OF MARCOS, LOPEZ AND OSMENAS) BUT SAID HE WAS DISTURBED BY THEIR LACK OF ACCESS TO COUNSEL, DELAY IN CHARGES, ETC. CODEL SPECULATED THAT IF LOPEZ/OSMENA REALLY GUILTY HE WOULD THINK THEY WOULD HAVE JUMPED AT OPPORTUNITY FOR DEAL EARLIER. LOPEZ AND OSMENA SEEMED IN EXCELLENT HEALTH THOUGH THIN. OSMENA III WHO HAS REPUTATION AS LIGHTWEIGHT WAS EXTREMELY ARTICULATE IN PRESENTATION OF HIS CASE AND APPEARED MAKE GOOD IMPRESSION ON CODEL. HOSPITAL DIRECTOR WAS OBVIOUSLY UNDER INSTRUCTIONS BE AS PLEASANT AND COOPERATIVE AS POSSIBLE. SECURITY MAN CONTRATEMPTS NOT ALL THAT IMPORTANT BUT SPECTACLE OF NCO TELLING PROTESTING BRIG. GEN. THAT HE HAD HIS ORDERS AND SECURITY GUARD STAYING IN ROOM PROBABLY DISSIPATED SOME OF GOOD WILL GOP GARNERED BY PERMITTING MEETING. SULLIVAN

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